

Remarks:

After the filing of a Notice of Appeal filed November 17, 2008, Claims 1-24 and 26-27 have now been amended. Claims 1-27 are currently pending. Reconsideration is hereby requested.

In the last Office Action, claims 1-8 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Xu et al., Wu et al. and Marshall. Claims 17-27 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Xu et al. in view of Marshall. Claims 9-16 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Xu et al. and Koakutsu et al. However, Marshall is also discussed in the body of the rejection and Applicant believes that the rejection is over the combination of Xu et al, Koakutsu et al. and Marshall.

Applicant respectfully traverses the rejections. In the Examiner Interview of September 18, 2008, the term "embedded program" was discussed. It was the position of the Examiner that the prior art did disclose an embedded program as recited. However, the Examiner did indicate that she believed there were differences over the prior art, but that the claims as presented did not distinguish over the prior art.

The claims have now been amended and are believed to distinguish over the prior art. The phrase "embedded program" has been deleted. The claims have been amended and clarify that the instructions are at least partly based on user defined input information and are embedded into the electronic document data. The instructions are part of the data and are not a separate program that must be loaded into the program. The present invention provides for creating barcodes from user inputs without the need for special software or loading of special programs to generate a barcode. Moreover, the user inputs are utilized to create a unique barcode pattern that can be customized to suit the user's requirements.

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Reply to Office Action dated May 15, 2008

Applicant asserts that the cited prior art even when combined fails to teach or suggest the recited instructions at least partly based on user defined input information embedded into the electronic document data. Applicant asserts the recited method, document processor, form and machine patentably distinguish over the cited prior art and any combination thereof. Applicant asserts that claims 1-27 are in condition for allowance and requests that the rejections under 35 U.S.C. Section 103(a) be withdrawn.

A speedy and favorable action in the form of a Notice of Allowance is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.

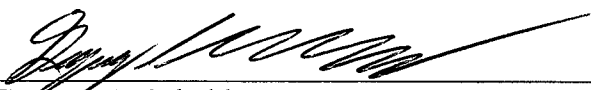
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Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: May 18, 2009

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